



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/085,218	02/27/2002	Sunit B. Mangalvedhekar	014208.1483 (05-01-010)	6967

5073 7590 03/10/2005

BAKER BOTTS L.L.P.
2001 ROSS AVENUE
SUITE 600
DALLAS, TX 75201-2980

EXAMINER

NGUYEN, HAI V

ART UNIT	PAPER NUMBER
----------	--------------

2142

DATE MAILED: 03/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/085,218

Applicant(s)

MANGALVEDHEKAR, SUNIT B.

Examiner

Hai V. Nguyen

Art Unit

2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 October 2004.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-46 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-46 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Art Unit: 2142

DETAILED ACTION

1. This Office Action is in response to the communication received on 14 October 2004.
2. Claims 1-46 are presented for examination.

Response to Arguments

3. Applicant's arguments filed 14 October 2004 have been fully considered but they are not deemed to be persuasive.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claim 36 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. In this instant application, claim 36 claims that the "*software operable to render the drawings*". It appears to be no description to enable how the software operates to render the drawings which has no substance, no connection to show the subject matter as claimed.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Kisor et al.** US patent no. **5,978,847** in view of **Berger** US patent no. **5,978,841**.

9. As to claim 1, Kisor, Attribute Pre-Fetch Of Web Pages, discloses a method of accessing, by a client, one or more files residing in a server comprising: requesting, by the client, downloading of a selected file residing in the server, the selected file associated with at least one associated file an including instructions to access, either directly or indirectly, the associated file (*Kisor, Abstract, Figs. 10, 11; col. 6, line 39 – col. 7, line 38*); in response to requesting downloading of the selected file, initiating downloading of the selected file and automatically determining the identity of, and initiating downloading of, the at least one associated file (*Kisor, Abstract, Figs. 10, 11; col. 6, line 39 – col. 7, line 38*); However, Kisor does not explicitly discloses initiating storing, in a memory associated with the client, of the selected file and the at least one associated file under respective local identifiers. Thus, the artisan would have been motivated to look into the related networking arts for potential methods and apparatus for implementing initiating storing, in a memory associated with the client, of the selected file and the at least one associated file under respective local identifiers.

Art Unit: 2142

In the same field of endeavor, Berger, Look Ahead Caching Process For Improved Information Retrieval Response Time By Caching Bodies Of Information Reports They Are Requested The User, discloses that *in FIG. 11E is a flow chart of an exemplary process for checking whether the contents of the cache includes requested information in accordance with the invention. When a user request is received, the cache contents are checked by passing the information ID to the cache contents check process (1165). The information ID received with the check request is compared with information ID stored in the cache (1168). If the ID is not found, that fact will be returned (1170) and the information ID of the information desired will be utilized to retrieve the information over the network. If the information ID is found within the cache a check will be made of the status of the information (1172). If the retrieval had succeeded, a date check may be made (1174) to ensure that it is not too stale, but otherwise, the stored information will be returned and made available to the user interface for display to the user (1176). If the status of the stored information has failed (1172-Failed), a check of the date and time of the failure will be made (1174) to see if it was long enough ago that another retrieval attempt should be made. Otherwise, the error message information stored is returned for display to the user (1176). Whenever the optional date check (1174) fails, the stored information is marked for removal (1190) and not found will be returned (Berger, col. 9, line 43 – col. 10, line 7).*

Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Berger's teachings of look-ahead caching the information (*Berger, Abstract, col. 2, line 45 – col. 3, line 23; col. 26, lines 1-*

Art Unit: 2142

10) with the teachings of Kisor, for the *purpose of maximizing the bandwidth of a connection to the Internet (or other network), which is especially important over a slow link such as a modem (Kisor, col. 6, lines 23-38) and the user will have a better classification of the contents of Web pages (Kisor, col. 5, line 55 – col. 6, line 8). Berger also suggests that improving the probability that a future user request will match preloaded information (Berger, col. 4, lines 45-56).*

10. As to claim 2, Kisor-Berger discloses maintaining, by a document manager residing in the server, respective profiles of the one or more files (*Kisor, Figs. 10, 11; col. 6, lines 8-67*).

11. As to claim 3, Kisor-Berger discloses, wherein the selected file is associated with at least one profile, the at least one profile identifying the at least one associated file (*Kisor, one attribute identifying another page; col. 5, line 1 - col. 6, line 67*).

12. As to claim 4, Kisor-Berger discloses, wherein the profile identifies the at least one associated file by the Uniform Resource Locator (*Kisor, Fig. 6, col. 4, lines 45-67*).

13. As to claim 5, Kisor-Berger discloses, wherein automatically determining the identity of, and initiating downloading of, the at least one associated file comprises examining a profile of the selected file, the profile identifying the at least one associated file (*Kisor, Abstract, Figs. 10, 11; col. 5, line 55 – col. 7, line 38*).

14. As to claim 6, Kisor-Berger discloses, and further comprising maintaining a respective status file for each of the selected file and the at least one associated file,

Art Unit: 2142

each status file indicating one or more properties of the respective selected file and the at least one associated file (*Kisor, Figs. 10, 11; col. 5, line 55 – col. 7, line 38*).

15. As to claim 7, Kisor-Berger discloses, wherein the status file is a cookie file (*Kisor, col. 5, line 55 – col. 7, line 38; Berger, col. 13, lines 9-42*).

16. As to claim 8, Kisor-Berger discloses, wherein the status file consists solely of a timestamp indicative of a time of download (*Kisor, col. 3, line 50 – col. 4, line 9; Berger, col. 9, line 66 – col. 10, line 7*).

17. As to claim 9, Kisor-Berger discloses, wherein the status file comprises a timestamp indicative of a time of download, a check out status, and respective identities of the at least one associated file (*Kisor, col. 3, line 50 – col. 4, line 9; Berger, col. 9, line 66 – col. 10, line 7*).

18. As to claim 10, Kisor-Berger discloses, wherein the memory associated with the client is a root of a cache, the root identified by a root directory identifier (*Kisor, col. 3, line 50 – col. 4, line 9; Berger, col. 10, line 8– col. 11, line 55; col. 11, line 56 – col. 13, line 28*).

19. As to claim 11, Kisor-Berger discloses, wherein each of the respective local identifiers comprises the root directory identifier (*Berger, col. 10, line 8– col. 11, line 55; col. 11, line 56 – col. 13, line 28*).

20. As to claim 12, Kisor-Berger discloses, and further comprising: generating, by the client, the one or more files for uploading to the server (*Kisor, col. 4, line 28 – col. 5, line 54*);

Art Unit: 2142

generating, by the client, a profile associated with each of the one or more files (*Kisor*, col. 4, line 28 – col. 5, line 54; col. 6, line 23 – col. 7, line 38); and
uploading, by the client, the profile and the each of the one or more files to the server (*Kisor*, col. 4, line 28 – col. 5, line 54; col. 6, line 23 – col. 7, line 38).

21. Claim 13 is similar limitations of claim 1, 4; therefore, it is rejected under the same rationale as in claims 1, 4.

22. Claims 14-23 are similar limitations of claims 2-3, 5-12; therefore, they are rejected under the same rationale as in claims 2-3, 5-12.

23. Claim 24 is corresponding apparatus claim of claim 1; it is rejected under the same rationale as in claims 1.

24. Claims 25-35 similar limitations of claims 2-12; therefore, they are rejected under the same rationale as in claims 2-12.

25. As to claim 36, *Kisor-Berger* discloses wherein the software operable to render the drawings (*Kisor*, Fig. 9, items 326, 328).

26. Claim 37 is corresponding system claim of claim 1; it is rejected under the same rationale as in claims 1.

27. Claims 38-46 similar limitations of claims 4-12; therefore, they are rejected under the same rationale as in claims 2-12.

Response to Arguments

28. Applicant's arguments filed 14 October 2004 have been fully considered but they are not deemed to be persuasive.

29. In the remarks, Applicant argued in substance that:

Point (A), The prior art do not disclose, "automatically determining the identity of, and initiating downloading of, the at least one associated file.." in claim 1.

As to point (A), Kisor disclose in a fig. 7 a method of automatically listing Web pages with attributes that matches a user created attribute list. (col. 5, lines 1-22). Kisor also discloses in fig. 10 that alternatively, the steps listed above may also be automated or machine catalogued (col. 6, lines 56-67).

Point (B), the prior art does not disclose "respective local identifiers" in claim 1.

As to point (B), Kisor discloses in Fig.10, items 334 listing A1, A2, A3, A4 in window 332 of webpage1 (col. 6, lines 39-67). The respective local identifiers are merely the attributes A1, A2, A3.

As to point (C), the prior art does not disclose "the selected file and the at least one associated file identified by respective URLs" in claim 13.

As to point (C), Kisor discloses in Figs. 8, 9, items 312, 302, 304 306 are links that merely the URLs (col. 6, lines 8-38).

Point (D), the prior art does not disclose using a Uniform Resource Locator which is a global unique identifier in claim 13.

As to point (D), In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., **a global unique identifier**) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

30. Further references of interest are cited on Form PTO-892, which is an attachment to this action.

Conclusion

31. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

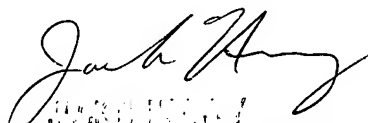
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Art Unit: 2142

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hai V. Nguyen whose telephone number is 571-272-3901. The examiner can normally be reached on 6:00-3:30 Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Harvey can be reached on 571-272-3896. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


SUPERVISOR

Hai V. Nguyen
Examiner
Art Unit 2142

